

#6

I hereby certify that this correspondence is being faxed to the United States Patent and Trademark Office, Office of the Petitions, via facsimile to 703-308-6916 on February 12, 2003.

Atty Docket No. 7610-0047

12 Feb 03

Joe Clark

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Mitchell W. MUTZ et al.

Group Art Unit: 2861

Serial No.: 10/010,972

Examiner: To be determined

Filing Date: December 4, 2001

Title: ACOUSTIC ASSESSMENT OF FLUIDS IN A PLURALITY OF RESERVOIRS

PETITION FOR A CORRECTED FILING DATE
UNDER 37 CFR §1.10

AND

PETITION FOR AN EXPEDITE REVIEW
UNDER 37 CFR §1.102

FAX RECEIVED

FEB 12 2003

PETITION'S OFFICE

Commissioner for Patents
Office of Petitions
Washington, DC 20231

Sir:

This combined petition is submitted to correct the filing date of the above-identified application. As time is of the essence, applicants request expedited resolution of this matter pursuant to 37 CFR §1.102(a).

Statement of Facts

The above-referenced application was filed by Express Mail on December 4, 2001, *not* December 7, 2001, as evidenced by the Official Date Stamp and the "Date In" entry on the attached Express Mail label. A copy of the Application Transmittal for the patent application as originally filed containing the express mail label is also attached (*See Appendix A*).

Applicants had previously attempted to correct the filing date through various communications with the Office of Initial Patent Examination. Submitted herewith are:

Atty Dkt No. 7610-0047
Serial No.: 10/010,972

- (1) Express Mail Label and Application Transmittal as originally filed (*See Appendix A*);
- (2) a copy of the (first) Request for a Corrected Filing Date and accompanying papers as filed with the PTO on January 29, 2002 (*See Appendix B*);
- (3) a copy of the Status Inquiry as filed with the PTO on September 4, 2002 (*See Appendix C*); and
- (4) a copy of the Second Request for a Corrected Filing Date and accompanying papers as filed with the PTO on February 6, 2003 (*See Appendix D*).

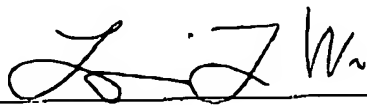
Action Requested

Applicants request that the application be granted a filing date of December 4, 2001, pursuant to 37 CFR §1.10.

The Commissioner is hereby authorized to charge a fee for this petition in the amount of \$260 (petition fee for correcting the filing date--\$130 and petition fee for expedited review--\$130) to Deposit Account No. 18-0580. The Commissioner is also authorized to charge additional any fees under 37 CFR §§ 1.16, 1.17 and 1.21 which may be required by this paper, or to credit any overpayment, to the same deposited account.

Respectfully submitted,

By:



Louis L. Wu
Registration No. 44,413

REED & EBERLE LLP
800 Menlo Avenue, Suite 210
Menlo Park, California 94025
(650) 330-0900 Telephone
(650) 330-0980 Facsimile

Atty Dkt No. 7610-0047

Serial No.: 10/010,972

APPENDIX A

PTO/SB/05 (08-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

UTILITY PATENT APPLICATION TRANSMITTAL EL 910282067US <small>(Only for . 1.53(b))</small>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td style="width: 50%;"></td> </tr> <tr> <td>First Inventor</td> <td>Mitchell W. Mutz</td> </tr> <tr> <td>Title</td> <td>Acoustic Assessment of Fluids in a Plurality of Reservoirs</td> </tr> <tr> <td>Attorney Docket Number</td> <td>7610-0047</td> </tr> </table>	Application Number		First Inventor	Mitchell W. Mutz	Title	Acoustic Assessment of Fluids in a Plurality of Reservoirs	Attorney Docket Number	7610-0047
Application Number									
First Inventor	Mitchell W. Mutz								
Title	Acoustic Assessment of Fluids in a Plurality of Reservoirs								
Attorney Docket Number	7610-0047								
APPLICATION ELEMENTS <small>See MPEP chapter 600 concerning utility patent application contents.</small>	ADDRESS TO: Commissioner for Patents Box Patent Application Washington, DC 20231								
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) <small>(Submit an original and a duplicate for fee processing)</small> 2. <input checked="" type="checkbox"/> Applicant claims small entity status. <small>See 37 CFR 1.27.</small> 3. <input checked="" type="checkbox"/> Specification [Total Pages <u>40 + Cover</u>] <small>(preferred arrangement set forth below)</small> <ul style="list-style-type: none"> - Descriptive title of the invention - Cross Reference to Related Applications - Statement Regarding Fed sponsored R & D - Reference to sequence listing, a table, or a computer program listing appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure 4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets <u>2</u>] 5. <input checked="" type="checkbox"/> Oath or Declaration [Total Pages <u>4</u>] <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> Newly executed (original or copy) b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <small>(for continuation/divisional with Box 17 completed)</small> <ol style="list-style-type: none"> i. <input type="checkbox"/> DELETION OF INVENTOR(S) <small>Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</small> 6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76 	<ol style="list-style-type: none"> 7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix) 8. Nucleotide and/or Amino Acid Sequence Submission (if applicable) <ol style="list-style-type: none"> a. <input type="checkbox"/> Computer Readable Form (CRF) b. Specification Sequence Listing on: <ol style="list-style-type: none"> i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> paper c. <input type="checkbox"/> Statements verifying identity of above copies 								
ACCOMPANYING APPLICATION PARTS									
<ol style="list-style-type: none"> 9. <input checked="" type="checkbox"/> Assignment Papers (cover sheet & document(s)) 10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of Attorney <small>(when there is an assignee)</small> 11. <input type="checkbox"/> English Translation Document (if applicable) 12. <input type="checkbox"/> Information Disclosure <input type="checkbox"/> Copies of IDS Statement (IDS)/PTO-1449 Citations 13. <input type="checkbox"/> Preliminary Amendment 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <small>(Should be specifically itemized)</small> 15. <input type="checkbox"/> Certified Copy of Priority Document(s) <small>(if foreign priority is claimed)</small> 16. <input checked="" type="checkbox"/> Other: <u>Blanket Petition</u> 									
17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:									
<table style="width: 100%;"> <tr> <td><input type="checkbox"/> Continuation</td> <td><input type="checkbox"/> Divisional</td> <td><input type="checkbox"/> Continuation-in-part (CIP)</td> <td>of prior application No.: _____</td> </tr> <tr> <td>Prior application Information: _____</td> <td>Examiner: _____</td> <td></td> <td>Group / Art Unit: _____</td> </tr> </table>		<input type="checkbox"/> Continuation	<input type="checkbox"/> Divisional	<input type="checkbox"/> Continuation-in-part (CIP)	of prior application No.: _____	Prior application Information: _____	Examiner: _____		Group / Art Unit: _____
<input type="checkbox"/> Continuation	<input type="checkbox"/> Divisional	<input type="checkbox"/> Continuation-in-part (CIP)	of prior application No.: _____						
Prior application Information: _____	Examiner: _____		Group / Art Unit: _____						
For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation <u>can only</u> be relied upon when a portion has been inadvertently omitted from the submitted application parts.									

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FEB 12 2003

PETITIONS OFFICE

Attorney Docket No. 7610-0047

18. CORRESPONDENCE ADDRESS					
<input checked="" type="checkbox"/> Customer Number of Bar Code Label		23980 <i>(Insert Customer No. or Attach bar code label here)</i>		<input type="checkbox"/> Correspondence address below	
Name	Louis L. Wu				
Address	REED & ASSOCIATES				
	800 Menlo Avenue, Suite 210				
City	Menlo Park	State	CA	Zip Code	94025
Country	USA	Telephone	(650) 330-0900	Fax	(650) 330-0980
Name (Print/Type)	Louis L. Wu	Registration No. (Attorney/Agent)		44,413	
Signature	<i>L. L. Wu</i>		Date		12/4/00

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commission for Patents, Box Patent Application, Washington, DC 20231.

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"Express Mail" Mailing Label No.	EL910 282 067 US	Date of Deposit	Dec. 4, 2001
Name of Person Mailing Paper or Fee(Print/Type)	Sam Pen		
Signature	<i>Sam Pen</i>	Date	12-4-01

F:\Document\7610\0047\application xtl.wpd

Atty Dkt No. 7610-0047
Serial No.: 10/010,972

APPENDIX B

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on

Atty Docket No. 7610-0047
Serial No. 10/010,972

January 29, 2003
Date
Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Mitchell W. Mutz et al.

Group Art Unit: 2861

Serial No.: 10/010,972

Examiner: To be determined

Filing Date: December 4, 2001

Title: ACOUSTIC ASSESSMENT OF FLUIDS IN A
PLURALITY OF RESERVOIRS

REQUEST FOR A CORRECTED FILING DATE

Commissioner for Patents
Washington, DC 20231

FAX RECEIVED

FEB 12 2003

PETITION'S OFFICE

Sir:

Attached is a copy of the official Postcard received from the PTO in the above-identified application for which issuance of a corrected filing date is respectfully requested.

There is an error with respect to the following data, which is incorrectly entered. We filed the above referenced application on December 4, 2001 not December 7, 2001 as indicated on the returned postcard and the Filing Receipt we have now received.

Please correct the filing date so that reads **December 4, 2001**. I have enclosed a copy of the Express Mail Label and the Application Transmittal verifying the above date, and a copy of the Filing Receipt with the changes indicated in red.

Atty Dkt. No.: 7610-0047
USSN: 10/010,972

The correction is not due to any error by applicant(s) and no fee is due. If for any reason a fee is found to be necessary, our Deposit Account No. 18-0580 may be charged therefor. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Date: January 29, 2002

By: Louis L. Wu
Louis L. Wu
Registration No. 44,413

REED & ASSOCIATES
800 Menlo Avenue, Suite 210
Menlo Park, California 94025
(650) 330-0900 Telephone
(650) 330-0980 Facsimile

EXPRESS MAIL **POST OFFICE TO ADDRESSEE**

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ORIGIN (POSTAL USE ONLY)		First Rate Envelope	
PO ZIP Code 96025	Day of Delivery <input checked="" type="checkbox"/> Second	<input type="checkbox"/> First	
Date 12-4-01	<input type="checkbox"/> 12 Noon	<input type="checkbox"/> 3 PM	Postage \$ 16.25
Time 16:37	<input type="checkbox"/> 2nd Day	<input type="checkbox"/> 3rd Day	Return Receipt Fee
Weight 11.3 ozs.	INTL Alpha Country Code	COD Fee	Insurance Fee
<input type="checkbox"/> No Delivery	Acceptance Clerk Initials JH	Total Postage & Fees \$ 16.25	
<input type="checkbox"/> Weekend			

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REED & ASSOCIATES
300 WENLO AVE STE 210
WENLO PARK
CA 94025-4732
7610-0047

PHONE 550 330 0900

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Commissioner for Patents
U.S. Patent & Trademark Office
P.O. Box 2327
ATTN. BOX PATENT APPLICATION
Arlington, VA 22202

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P10/SB/05 (08-00)

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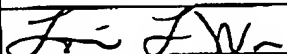
UTILITY PATENT APPLICATION TRANSMITTAL EL 910282067US 1.53(b) (Only for .	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td style="width: 50%;"></td> </tr> <tr> <td>First Inventor</td> <td>Mitchell W. Mulz</td> </tr> <tr> <td>Title</td> <td>Acoustic Assessment of Fluids in a Plurality of Reservoirs</td> </tr> <tr> <td>Attorney Docket Number</td> <td>7610-0047</td> </tr> </table>	Application Number		First Inventor	Mitchell W. Mulz	Title	Acoustic Assessment of Fluids in a Plurality of Reservoirs	Attorney Docket Number	7610-0047	
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Title	Acoustic Assessment of Fluids in a Plurality of Reservoirs									
Attorney Docket Number	7610-0047									
APPLICATION ELEMENTS See MPEP chapter 600 concerning utility patent application contents.	ADDRESS TO: Commissioner for Patents Box Patent Application Washington, DC 20231									
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) <i>(Submit an original and a duplicate for fee processing)</i> 2. <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. 3. <input checked="" type="checkbox"/> Specification [Total Pages <u>40 + Cover</u>] <i>(preferred arrangement set forth below)</i> <ul style="list-style-type: none"> - Descriptive title of the invention - Cross Reference to Related Applications - Statement Regarding Fed sponsored R & D - Reference to sequence listing, a table, or a computer program listing appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings <i>(if filed)</i> - Detailed Description - Claim(s) - Abstract of the Disclosure 4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets <u>2</u>] 5. <input checked="" type="checkbox"/> Oath or Declaration [Total Pages <u>4</u>] <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> Newly executed (original or copy) b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <i>*(for continuation/divisional with Box 17 completed)</i> <ol style="list-style-type: none"> i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b). 6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76 	<ol style="list-style-type: none"> 7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program <i>(Appendix)</i> 8. Nucleotide and/or Amino Acid Sequence Submission <i>(if applicable)</i> <ol style="list-style-type: none"> a. <input type="checkbox"/> Computer Readable Form (CRF) b. Specification Sequence Listing on: <ol style="list-style-type: none"> i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> paper c. <input type="checkbox"/> Statements verifying identity of above copies 									
ACCOMPANYING APPLICATION PARTS										
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17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:										
<table style="width: 100%;"> <tr> <td style="width: 33%;"><input type="checkbox"/> Continuation</td> <td style="width: 33%;"><input type="checkbox"/> Divisional</td> <td style="width: 33%;"><input type="checkbox"/> Continuation-in-part (CIP)</td> </tr> <tr> <td colspan="3"> Prior application Information: Examiner: _____ </td> </tr> <tr> <td colspan="3"> of prior application No.: _____ Group / Art Unit: _____ </td> </tr> </table>		<input type="checkbox"/> Continuation	<input type="checkbox"/> Divisional	<input type="checkbox"/> Continuation-in-part (CIP)	Prior application Information: Examiner: _____			of prior application No.: _____ Group / Art Unit: _____		
<input type="checkbox"/> Continuation	<input type="checkbox"/> Divisional	<input type="checkbox"/> Continuation-in-part (CIP)								
Prior application Information: Examiner: _____										
of prior application No.: _____ Group / Art Unit: _____										
For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.										

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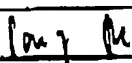
FEB 12 2003

PETITION'S OFFICE

Attorney Docket No. 7610-0047

18. CORRESPONDENCE ADDRESS					
<input checked="" type="checkbox"/> Customer Number of Bar Code Label		23980 <small>(Insert Customer No. or Attach bar code label here)</small>		or <input type="checkbox"/> Correspondence address below	
Name	Louis L. Wu				
Address	REED & ASSOCIATES				
	800 Menlo Avenue, Suite 210				
City	Menlo Park	State	CA	Zip Code	94025
Country	USA	Telephone	(650) 330-0900	Fax	(650) 330-0980
Name (Print/Type)	Louis L. Wu	Registration No. (Attorney/Agent)		44,413	
Signature				Date	12/4/2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commission for Patents, Box Patent Application, Washington, DC 20231.

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Name of Person Mailing Paper or Fee (Print/Type)	Sam Pen		
Signature		Date	12-4-01

F:\Document\7610\0047\application xl.wpd



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
WWW.USPTO.GOV

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/010,972	12/07/2001 12/04/2001	2861	979	7610-0047	2	83	4

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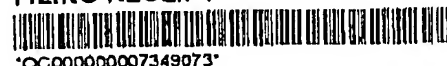
CONFIRMATION NO. 6490

23980
REED & ASSOCIATES
800 MENLO AVENUE
SUITE 210
MENLO PARK, CA 94025

JAN 28 2002

REED & ASSOCIATES

FILING RECEIPT



0000000007349073

Date Mailed: 01/23/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

- ✓ Mitchell W. Mutz, Palo Alto, CA;
- ✓ Richard N. Ellison, Palo Alto, CA;
- ✓ James K. Foote, Cupertino, CA;

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted 01/23/2002

✓ Projected Publication Date: 06/12/2003

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

✓ Acoustic assessment of fluids in a plurality of reservoirs

Preliminary Class

347

LLW
1/28/02 (7M)
DOCKcorrect filing date
2/26/02

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PETITIONS OFFICE

Atty Dkt No. 7610-0047

Serial No.: 10/010,972

APPENDIX C

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PATENT

September 4, 2002
9/4/02 Margaret K. Surridge
Date Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:
Mitchell W. Mutz et al.

Serial No.: 10/010,972

Group Art Unit: 2861

Filing Date: December 4, 2001

Examiner: Unassigned

Title: ACOUSTIC ASSESSMENT OF FLUIDS IN A PLURALITY OF RESERVOIRS

STATUS INQUIRY

FAX RECEIVED

Commissioner for Patents
Washington, DC 20231

FEB 12 2003


PETITIONS OFFICE

Sir:

On January 29, 2002, a Request for a Corrected Filing Date was mailed to the United States Patent and Trademark Office for the above-identified application. Subsequently, on March 7, 2002, an Information Disclosure Statement, Form PTO-1449 and copies of cited references were also mailed to the United States Patent and Trademark Office for the above-identified application. Since over eight months have passed and no communication has been received from the Patent and Trademark Office in response thereto, applicants respectfully request to be informed of the current status of these papers.

Respectfully submitted,

By:



Louis L. Wu

Registration No. 44,413

REED & ASSOCIATES
800 Menlo Avenue, Suite 210
Menlo Park, California 94025
(650) 330-0900 Telephone
(650) 330-0980 Facsimile
F:\Document\7610\0047\Status Inquiry.DOC

Atty Dkt No. 7610-0047

Serial No.: 10/010,972

APPENDIX D

REED & EBERLE LLP

INTELLECTUAL PROPERTY LAW
800 MENLO AVENUE, SUITE 210
MENLO PARK, CALIFORNIA 94025
(650) 330-0900 TELEPHONE
(650) 330-0980 FACSIMILE
WWW.REEDPATENT.COM

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2.6.03**FACSIMILE TRANSMITTAL SHEET**

TO: OFFICE OF INITIAL PATENT EXAMINATION U.S. PATENT AND TRADEMARK OFFICE Washington, DC 20231	FACSIMILE No.: (703) 746-9195 TELEPHONE No.:
FROM: Louis L. Wu Reg. No. 44,413	FACSIMILE No.: (650) 330-0980 TELEPHONE No.: (650) 330-0900
DATE: February 6, 2003	PAGE 1 OF: 14
SUBJECT: In re Application of: Mitchell W. Mutz et al. Serial No.: 10/010,972 Filed: December 4, 2001 Attorney Docket No.: 7610-0047	CONFIRMATION COPY TO FOLLOW: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

Transmitted herewith for filing is a Second Request for a Corrected Filing Date and attached Appendix A and Appendix B in connection with the above-identified patent application.

Please contact Louis L. Wu at (650) 330-4912 if there are any questions or concerns.

Sincerely,
Louis L. Wu, Registration No. 44,413

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***** P.01 *****

TRANSACTION REPORT

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DATE	START	RECEIVER	TX TIME	PAGES	TYPE	NOTE	M#	DP
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FACSIMILE TRANSMITTAL SHEET

TO: OFFICE OF INITIAL PATENT EXAMINATION U.S. PATENT AND TRADEMARK OFFICE Washington, DC 20231	FACSIMILE No.: (703) 746-9195 TELEPHONE No.:
FROM: Louis L. Wu Reg. No. 44,413	FACSIMILE No.: (650) 330-0980 TELEPHONE No.: (650) 330-0900
DATE: February 6, 2003	PAGE 1 OF: 14
SUBJECT: In re Application of: Mitchell W. Mutz et al. Serial No.: 10/010,972 Filed: December 4, 2001 Attorney Docket No.: 7610-0047	CONFIRMATION COPY TO FOLLOW: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

Transmitted herewith for filing is a Second Request for a Corrected Filing Date and attached Appendix A and Appendix B in connection with the above-identified patent application.

Please contact Louis L. Wu at (650) 330-4912 if there are any questions or concerns.

I hereby certify that this correspondence is being faxed to the United States Patent and Trademark Office, Office of Initial Patent Examination, via facsimile to (703) 746-9195 on February 6, 2003.

Atty Docket No. 7610-0047

2/6/03 Margaret K. Surridge
Date Margaret K. Surridge

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Mitchell W. Mutz et al.

Group Art Unit: 2861

Serial No.: 10/010,972

Examiner: To be determined

Filing Date: December 4, 2001

Title: ACOUSTIC ASSESSMENT OF FLUIDS IN A PLURALITY OF RESERVOIRS

SECOND REQUEST FOR A CORRECTED FILING DATE

FAX RECEIVED

Commissioner for Patents
Washington, DC 20231

FEB 12 2003

PETITIONS OFFICE

Sir:

Following instructions provided by a Customer Service representative of the Office of Initial Patent Examination, applicants hereby submit a second request for a corrected filing date. The above-referenced application was filed by Express Mail on December 4, 2001, *not* December 7, 2001, as evidenced by the Official Date Stamp and the "Date In" entry on the Express Mail label for the patent application identified above (*See Appendix A*). Accordingly, the application should be granted a filing date of December 4, 2001, pursuant to 37 CFR §1.10.

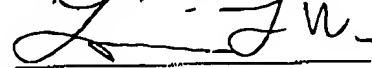
In further support of this request, applicants submit herewith:

- (1) a copy of the (first) Request for a Corrected Filing Date and accompanying papers as filed with the PTO on January 29, 2002 (*See Appendix A*); and
- (2) a copy of the Status Inquiry as filed with the PTO on September 4, 2002 (*See Appendix B*).

The correction is not due to any error by applicants and no fee therefore is due. If for any reason a fee is found to be necessary, our Deposit Account No. 18-0580 may be charged therefor.

Respectfully submitted,

By:



Louis L. Wu

Registration No. 44,413

REED & BERLE LLP
800 Menlo Avenue, Suite 210
Menlo Park, California 94025
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F:\Document\7610\0047\2nd Req for Corrected Filing Date.doc

APPENDIX A

FAX RECEIVED
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on

Atty Docket No. 7610-0047
Serial No. 10/010,972

January 29, 2003
29 Jan 2003
Date
Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Mitchell W. Mutz et al.

Group Art Unit: 2861

Serial No.: 10/010,972

Examiner: To be determined

Filing Date: December 4, 2001

Title: ACOUSTIC ASSESSMENT OF FLUIDS IN A
PLURALITY OF RESERVOIRS

REQUEST FOR A CORRECTED FILING DATE

Commissioner for Patents
Washington, DC 20231

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Sir:

PETITION'S OFFICE

Attached is a copy of the official Postcard received from the PTO in the above-identified application for which issuance of a corrected filing date is respectfully requested.

There is an error with respect to the following data, which is incorrectly entered. We filed the above referenced application on December 4, 2001 not December 7, 2001 as indicated on the returned postcard and the Filing Receipt we have now received.

Please correct the filing date so that reads December 4, 2001. I have enclosed a copy of the Express Mail Label and the Application Transmittal verifying the above date, and a copy of the Filing Receipt with the changes indicated in red.

Atty Dkt. No.: 7610-0047
USSN: 10/010,972

The correction is not due to any error by applicant(s) and no fee is due. If for any reason a fee is found to be necessary, our Deposit Account No. 18-0580 may be charged therefor. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Date: January 29, 2002

By: Louis L. Wu
Louis L. Wu
Registration No. 44,413

REED & ASSOCIATES
800 Menlo Avenue, Suite 210
Menlo Park, California 94025
(650) 330-0900 Telephone
(650) 330-0980 Facsimile

PTO/SB/05 (08-00)

Approved for use through 10/31/2002. OMB 0851-0032

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

UTILITY PATENT APPLICATION TRANSMITTAL

EL 910282067US

(Only for)

1.53(b))

Application Number

First Inventor

Mitchell W. Mutz

Title

Acoustic Assessment of Fluids
in a Plurality of Reservoirs

Attorney Docket Number

7610-0047

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Commissioner for Patents
Box Patent Application
Washington, DC 20231

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 40 + Cover]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table,
or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 2]
5. ☒ Oath or Declaration [Total Pages 4]
 - a. ☒ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 17 completed)
 - i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR
1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or
Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure ☐ Copies of IDS
Statement (IDS)/PTO-1449 Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☒ Other: Blanket Petition

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____
Prior application Information: Examiner: _____ Group / Art Unit: _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

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Attorney Docket No. 7610-0047

18. CORRESPONDENCE ADDRESS					
<input type="checkbox"/> Customer Number of Bar Code Label		23980 <i>(Insert Customer No. or Attach bar code label here)</i>		<input type="checkbox"/> Correspondence address below	
Name	Louis L. Wu				
Address	REED & ASSOCIATES				
	800 Menlo Avenue, Suite 210				
City	Menlo Park	State	CA	Zip Code	94025
Country	USA	Telephone	(650) 330-0900	Fax	(650) 330-0980
Name (Print/Type)	Louis L. Wu	Registration No. (Attorney/Agent)		44,413	
Signature	<i>Louis L. Wu</i>		Date	12/4/2001	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commission for Patents, Box Patent Application, Washington, DC 20231.

CERTIFICATE OF MAILING OR TRANSMISSION			
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated below and is addressed to "Commissioner for Patents, P.O. Box 2327, Box Patent Application, Arlington, VA 22202"			
Express Mail® Mailing Label No.	EL 910 282 067 US	Date of Deposit	Dec. 4, 2001
Name of Person Mailing Paper or Fee (Print/Type)	Sam Pen		
Signature	<i>Sam Pen</i>	Date	12-4-01

F:\Document\7610\0047\application xl.wpd



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
WWW.USPTO.GOV

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/010,972	12/07/2001 12/04/2001	2861	979	7610-0047	2	83	4

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CONFIRMATION NO. 6490

23980
REED & ASSOCIATES
800 MENLO AVENUE
SUITE 210
MENLO PARK, CA 94025

JAN 28 2002

REED & ASSOCIATES

FILING RECEIPT



0000000007349073

Date Mailed: 01/23/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

✓ Mitchell W. Mutz, Palo Alto, CA;
✓ Richard N. Ellison, Palo Alto, CA;
✓ James K. Foote, Cupertino, CA;

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted 01/23/2002

✓ Projected Publication Date: 06/12/2003

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

✓ Acoustic assessment of fluids in a plurality of reservoirs

Preliminary Class

347

LLU
1/28/02 (711)
DOCK
correct filing date
2/26/02

Attorney Docket No.: 7610-0047 Mailing Date: January 29, 2002Inventor(s): Mitchell W. Mutz et al.Serial No.: 10/010,972 Filing Date: December 4, 2001

Document(s):

Attorney Docket No.: 7610-0047 Mailing Date: January 29, 2002Inventor(s): Mitchell W. Mutz et al.Serial No.: 10/010,972 Filing Date: December 4, 2001

Document(s):

Request for a Corrected Filing Date (dupl);
copy of Express Mail label;
copy of Application Transmittal;
Return Post Card;
copy of the Filing Receipt with the changes in red.



LLW/jc

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Attorney Docket No.: 7610-0047 Mailing Date: 12/4/01Applicant(s): Mitchell W. Mutz, Richard N. Ellson & James K. FooteTitle: Acoustic Assessment of Fluids in a Plurality of Reservoirs

J1811 U.S. PTO

10/010972

Doc. ment(s):



12/07/01

- ☒ Application Transmittal & Fee Transmittal ☒ Certificate of Express Mail
(Express Mail No.: EL 910 282 067 US)
- ☒ Specification 30 Pages + Cover ☐ Information Disclosure Statement & Form(s) PTO-1449
- ☒ Claims 9 Pages ☐ Copies of cited references
- ☒ Abstract 1 Pages ☒ Blanket Petition
- ☒ Drawings 2 Pages ☒ Recordation Cover Sheet & Assignment
- ☒ Declaration 4 Pages
- ☒ Signed / ☐ Unsigned
- ☒ Filing Fee Check \$ 1019.00

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APPENDIX B

I hereby certify that this correspondence being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, Washington, DC 20231" on

Atty Dkt No. 7610-0047
PATENT

September 4, 2002
9/4/02 - Margaret K. Surridge
Date Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Mitchell W. Mutz et al.

Serial No.: 10/010,972

Group Art Unit: 2861

Filing Date: December 4, 2001

Examiner: Unassigned

Title: ACOUSTIC ASSESSMENT OF FLUIDS IN A PLURALITY OF RESERVOIRS

STATUS INQUIRY

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Commissioner for Patents
Washington, DC 20231

FEB 12 2003

PETITIONS OFFICE

Sir:

On January 29, 2002, a Request for a Corrected Filing Date was mailed to the United States Patent and Trademark Office for the above-identified application. Subsequently, on March 7, 2002, an Information Disclosure Statement, Form PTO-1449 and copies of cited references were also mailed to the United States Patent and Trademark Office for the above-identified application. Since over eight months have passed and no communication has been received from the Patent and Trademark Office in response thereto, applicants respectfully request to be informed of the current status of these papers.

Respectfully submitted,

By: L-L Wu
Louis L. Wu
Registration No. 44,413

REED & ASSOCIATES
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Menlo Park, California 94025
(650) 330-0900 Telephone
(650) 330-0980 Facsimile
F:\Document\7610\0047\Status Inquiry.DOC

Attorney Docket No.: 7610-0047

Mailing Date: September 4, 2002

Inventor(s): Mitchell W. Mutz et al.

Serial No.: 10/010,972

Filing Date: December 4, 2001

Document(s):

Status Inquiry; and
Return Postcard.



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LLW 9/4/02 *to*

REED & EBERLE LLP

INTELLECTUAL PROPERTY LAW
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MENLO PARK, CALIFORNIA 94025
(650) 330-0900 TELEPHONE
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FACSIMILE TRANSMITTAL SHEET

TO: U.S. PATENT AND TRADEMARK OFFICE Office of Petitions Washington, DC 20231	FACSIMILE No.: (703) 308-6916 TELEPHONE No.:
FROM: Louis L. Wu Reg. No. 44,413	FACSIMILE No.: (650) 330-0980 TELEPHONE No.: (650) 330-0900
DATE: February 12, 2003	PAGE 1 OF 32
SUBJECT: In re Application of: Mitchell W. MUTZ et al. For: ACOUSTIC ASSESSMENT OF FLUIDS IN A PLURALITY OF RESERVOIRS Serial No.: 10/010,972 Filed: December 4, 2001 Attorney Docket No.: 7610-0047	CONFIRMATION COPY TO FOLLOW: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

Please enter the attached Petition for consideration in Application Serial No. 10/010,972

Thank you.

Louis L. Wu
Reg. No. 44,413

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